

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

14-cv-9126-ALC

v.

ANTHONY THOMPSON, ET AL.,

Defendants,

[PROPOSED] STIPULATED TO PAYMENT PLAN ORDER

WHEREAS the Court entered a Final Judgment against Defendant Anthony Thompson (“Thompson”) on December 30, 2020 (Docket Entry “DE” 154) (“Final Judgment”);

WHEREAS the Final Judgment required Thompson to pay disgorgement and prejudgment interest totaling \$762,263 (the “Disgorgement Obligation”);

WHEREAS Thompson has failed to pay the Final Judgment fully;

WHEREAS Plaintiff Securities and Exchange Commission (“Commission”) filed a contempt action against Thompson for failing to pay what he owes despite an ability to do so;

WHEREAS the Commission and Thompson have reached an agreement to resolve the contempt action and for Thompson to enter a payment plan ordered by the Court, it is hereby ORDERED as follows:

Thompson shall pay \$51,000 within two days of entry of this Order;

Until Thompson satisfies the Disgorgement Obligation and all accruing postjudgment interest, Thompson shall pay \$7,500 per month due on the 3rd of each month beginning December 3, 2021 so long as his total compensation from Sugarloaf and/or any other source is

greater than or equal to \$150,000 per year (“Monthly Payments”). For each \$10,000 increase in salary from any source, Mr. Thompson will pay the Commission an additional \$250 per month;

In addition to the Monthly Payments, until Thompson satisfies the Disgorgement Obligation and all accruing postjudgment interest, Thompson shall pay 50% of his bonuses from any source up to \$200,000; 75% of bonus earnings exceeding \$200,000 up to \$300,000; and 100% of bonus earnings exceeding \$300,000. Such payments shall be made within 5 days of receipt of any bonus along with proof of the total amount received and a calculation of the required remittance;

As statutory post judgment interest continues to accrue, before Mr. Thompson makes the last payment, he will contact Commission counsel for a pay-off amount, no less than a week before he plans to make such payment;

Provided that Thompson complies with the payment terms herein, the Commission will not collect from other sources. If, however, Thompson defaults, Commission counsel may take appropriate collection steps including again seeking a finding of contempt based on Thompson’s failure to pay what he owes and for violating this Court Order;

Thompson will submit proof of payment to Commission counsel;

Thompson will file on ECF a notice of failure to make a timely payment on ECF within 48 hours of the delinquency;

Thompson will provide any source documents for Thompson’s taxes, including but not limited to W-2s, 1099s or K-1s, to the Commission annually by no later than April 17 and federal and state tax returns within ten days of filing his returns;

Thompson will provide any financial documentation requested by the Commission in connection with this payment plan so that the Commission can verify Mr. Thompson's salary and bonus income;

Thompson may transmit payment electronically to the Commission, which will provide detailed ACH transfer/Fedwire instructions upon request. Payment may also be made directly from a bank account via <https://pay.gov> through the SEC website at <http://www.sec.gov/about/offices/ofm.htm>. Defendant may also pay by certified check, bank cashier's check, or United States postal money order payable to the Securities and Exchange Commission, which shall be delivered or mailed to Enterprise Services Center Accounts Receivable Branch 6500 South MacArthur Boulevard Oklahoma City, OK 73169 and shall be accompanied by a letter identifying the case title, civil action number, and name of this Court; Anthony Thompson as a defendant in this action; and specifying that payment is made pursuant to this Final Judgment; and

The Commission's contempt application is withdrawn with the ability to refile if Thompson defaults on the payment plan herein.

Dated: New York, New York

_____, 2021

UNITED STATES DISTRICT JUDGE